

SECOND REGULAR SESSION

SENATE BILL NO. 1220

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time March 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5408S.011

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to a health facilities construction plan review fee.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 197, RSMo, is amended by adding thereto one new
2 section, to be known as section 197.101, to read as follows:

197.101. 1. The department of health and senior services shall
2 promulgate rules to establish a schedule of fees to be paid by the
3 applicant for the architectural plan review of new construction and
4 alterations to health facilities under this chapter and chapter 198,
5 RSMo. The department of health and senior services shall have the
6 authority to waive or reduce the plan review fees. All fees provided for
7 in this section shall be collected by the director of the department of
8 health and senior services who shall deposit the same with the state
9 treasurer for placement in the Missouri public health services fund as
10 established in section 192.900, RSMo. The provisions of section 33.080,
11 RSMo, to the contrary notwithstanding, moneys in the fund shall not be
12 transferred and placed to the credit of the general revenue at the end
13 of the biennium, but shall be used, upon appropriation by the general
14 assembly for the purpose of carrying out the provisions of this chapter
15 and chapter 198, RSMo.

16 2. Any rule or portion of a rule, as that term is defined in section
17 536.010, RSMo, that is created under the authority delegated in this
18 section shall become effective only if it complies with and is subject to
19 all of the provisions of chapter 536, RSMo, and, if applicable, section
20 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
21 and if any of the powers vested with the general assembly pursuant to

22 **chapter 536, RSMo, to review, to delay the effective date, or to**
23 **disapprove and annul a rule are subsequently held unconstitutional,**
24 **then the grant of rulemaking authority and any rule proposed or**
25 **adopted after August 28, 2006, shall be invalid and void.**

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Unofficial

Bill

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